

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 13307 of 2023

Applicant :- Shahzeb @ Bhura

Opposite Party :- State of U.P.

Counsel for Applicant :- Avinash Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Shekhar Kumar Yadav,J.

1. Heard Mr. Avinash Pandey, learned counsel for the applicant and learned Additional Government Advocate for the State.
2. This anticipatory bail application (under section 438 Cr.P.C.) has been moved seeking anticipatory bail in Case Crime No.471 of 2023, under Sections 147, 148, 149, 323, 307, 504 and 506 IPC, Police Station Kairana, District Shamli.
3. Learned counsel for the applicant submits that the applicant is not named in the FIR. During investigation, the complicity of the applicant has been shown on the confessional statement of accused Matoob, who is named in the FIR. As per statement of the injured, there is no allegation against the applicant. He further submits that accused Matoob has already been granted regular bail by the court below. The applicant is having no previous criminal history.
4. During arguments, learned counsel for the applicants has submitted that he does not want to press the prayer for release the applicant on anticipatory bail. His sole prayer is that a direction may be issued to the court below to decide the regular bail application within a stipulated period of time.
5. Considering the facts and circumstances of the case, it is directed that in case the applicant appears and surrenders before the court below and applies for regular bail, the same shall be heard and decided expeditiously in accordance with law.
6. With the aforesaid observations, the present anticipatory bail application stands **disposed of**.

Order Date :- 8.12.2023

Ajeet